

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
FIRST SPECIAL SESSION
SENATE TRANSCRIPT

1st Legislative Day

June 10, 2002

PRESIDENT PHILIP:

The Senate will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Dudycz.

SENATOR DUDYCZ:

(Pledge of Allegiance, led by Senator Dudycz)

PRESIDENT PHILIP:

Chicago Tribune has asked permission to photograph the proceedings. Is leave granted? Leave is granted. And -- and the Associated Press. I'm sorry. Is leave granted? Leave is granted. Communications from the Secretary of State, Mr. Secretary.

SECRETARY HARRY:

A Communication from the Secretary of State, dated June 7th, 2002.

Dear Mr. Secretary - Please -- or, enclosed please find a copy of Proclamation No. 2002-320, filed in my office on June 7th, 2002, by Governor George H. Ryan, calling for a Special Session of the 92nd General Assembly, to begin at 2 o'clock p.m. on Monday, June 10th, 2002. A notice and accompanying Proclamation has been mailed today to each Member's Springfield office.

Sincerely, Jesse White, Secretary of State.

(Secretary reads Proclamation No. 2002-320)

A Message from the Governor.

To the Honorable Members of the Illinois General Assembly -- Illinois Senate 92nd General Assembly - Pursuant to Article IV, Section 9(d) of the Illinois Constitution of 1970, I hereby veto

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and return several appropriations items included in Senate Bill 2393 entitled "An Act regarding appropriations", having taken the actions set forth below.

A Message from the Secretary of State, dated June 10th, 2002.

To the Honorable President of the Senate:

Sir, in compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bill, which the Governor vetoed in part, line-item vetoes, and reduced.

Senate Bill 2393, Public Act 92-0538.

Respectfully, Jesse White, Secretary of State.

PRESIDENT PHILIP:

Senate is convened in the First Special Session of the 92nd General Assembly. It has been the practice of this Body since the 88th General Assembly that rules adopted by the 92nd General Assembly and its officers and committees are in effect for the continuous period of the 92nd General Assembly, including any Special Session. There are -- three organizational resolutions will be adopted today. These resolutions inform the House that the Senate is ready to conduct business, creates a Senate Committee of Five to wait upon the Governor, and creates a Senate committee of three people to approve the Journals. Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Resolution No. 1.

(Secretary reads SR No. 1)

PRESIDENT PHILIP:

Senator Weaver moves to suspend the rules for the purpose of adopting Senate Resolution No. 1. All those in favor, signify by saying Aye. Those opposed, Nay. The rules are suspended. Senator Weaver, to explain the motion on Senate -- oh! Excuse me. Senator Weaver has moved to adoption of Senate Resolution No. 1.

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Those in favor will signify by saying Aye. Those opposed, Nay. The Ayes have it. And the motion is the -- the resolution is adopted. Resolution...

SECRETARY HARRY:

Senate Resolution 2, offered by Senator Weaver.

(Secretary reads SR No. 2)

PRESIDENT PHILIP:

Senator Weaver moves to suspend the rules for the purpose of the adoption of Senate Resolution No. 2. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver moves to adoption of Senate Resolution No. 2. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. Senate Resolution No. 2 is adopted. Mr. Secretary, Senate Resolution No. 3.

SECRETARY HARRY:

Senate Resolution 3, offered by Senator Weaver.

(Secretary reads SR No. 3)

PRESIDENT PHILIP:

Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Mr. President, I -- I don't quarrel with what we are doing. I know we're adopting rules, but could somebody give us an agenda, or somebody give us a copy of the stuff? I mean -- I mean, nobody has anything. I -- you know, you're rolling off through these -- these motions and amendments. I assume -- is everything that we are adopting that which is the same, identical to the rules that we have in the regular Session?

PRESIDENT PHILIP:

We -- we are not adopting rules. Okay? As I said earlier, as has been the practice of this Body since the 88th General Assembly, the rules adopted by the 92nd General Assembly and its officers and committees are in effect for the contiguous period of

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the 92nd General Assembly, including any Special Sessions.
Senator Demuzio.

SENATOR DEMUZIO:

Then what are we doing? We don't know what we're doing. What are we doing?

PRESIDENT PHILIP:

We are -- we're passing the three organizational resolutions. That's what we're doing. The same rules we've had in the General Assembly. All right. Senator Weaver moves to suspend the rules for the purpose of adoption of Senate Resolution No. 3. All those in favor, signify by saying Aye. All those opposed, Nay. The Ayes have it. The rules are suspended. Senator Weaver moves the adoption of Senate Resolution No. 3. All those in favor will signify by saying Aye. Those opposed, Nay. The Ayes have it. The resolution's... We've had -- WCIA-3 TV and WMAQ-TV Chicago requests permission to videotape. Is leave granted? Leave is granted. Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Mr. President. Senator Rauschenberger has filed a series of motions with respect to Senate Bill 2393.

PRESIDENT PHILIP:

Mr. Secretary, the Chair requests these motions be printed on the Calendar. So ordered. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

We have motions that we wish to file also, with respect to this bill. And we have been up since 3 o'clock this morning going through the Constitution and also the rules. Now, we didn't get this wonderful document here from the Governor until 10:30 this morning, so our staff is still going through this. Now, we wish to file motions as well. Now, if we're going to do anything today, I would hope if we go to committee or whatever it is, that

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we at least keep this Session open so that we can have the opportunity this afternoon to file our own motions, to have them printed on the Calendar for tomorrow as well, sir.

PRESIDENT PHILIP:

Senator Demuzio, 9-2 in our Rule book and -- yeah, the purpose for this -- the articulated item is that -- shall mean that the motions to accept or override the Governor's veto have to be filed by the sponsors. The sponsor has filed those motions. Senator Demuzio.

SENATOR DEMUZIO:

The Rules book says it may be filed by the principal sponsor. All we want is an opportunity to examine the -- the actions of the Governor and afford us the opportunity to file motions sometime this afternoon. So, if we're -- if we're going to committee, we want to have an -- by that -- by -- I assume by the time that the committee is over, we'll have an idea as to what -- what motions we wish to file. Any Member may file a motion, at any time.

PRESIDENT PHILIP:

Yes. We will leave -- we'll leave it open till 4:30. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. What time does the -- is there an Appropriation meeting this afternoon?

PRESIDENT PHILIP:

Yeah. We're going to go to announcements in a minute. Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I'll make my announcement a little earlier than I had expected. It's the intention -- or, it's our intention -- my intention to go to Appropriation Committee at about 5 o'clock today, which should leave ample time for staffs to continue to do some review and also to allow caucuses, which I

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assume you'll be caucusing as well. But we'd like to have a public hearing on the motions' subject matter so that we can have as much discussion as people want. Again, we will invite -- every Member of the Senate is welcome in Room 212 so we can -- I think we plan to start with the Director of the Bureau of the Budget, Steve Schnorf, and get an overview and then call agencies based on the questions that Members of the committee and Members of the Chamber have.

PRESIDENT PHILIP:

Senator Petka, for what purpose do you rise?

SENATOR PETKA:

Thank you, Mr. President. For purposes of an announcement.

PRESIDENT PHILIP:

Make your announcement.

SENATOR PETKA:

The -- there will be a Republican Caucus immediately following this Session, in Room 212.

PRESIDENT PHILIP:

Senator Demuzio.

SENATOR DEMUZIO:

I thank you very much for holding it open at 4:30. We have to see what Senator Rauschenberger, as the principal sponsor's, motions are, and then we will file our motions. Not only will -- will you afford us the opportunity at 4:30 to file our motions, but you will also -- would you also ask it to be on the printed Calendar for tomorrow?

PRESIDENT PHILIP:

Senator Rauschenberger's filed -- every -- got a motion on every item in the Governor's veto message. So, they're all -- every one's been filed. Senator Demuzio.

SENATOR DEMUZIO:

Well, they haven't been called. The -- so, I would like for

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our motions to be printed on the Calendar, and if they turned out to be duplicates or -- or -- or whatever, then we will simply vacate them.

PRESIDENT PHILIP:

...you get 'em in by 4:30, we'll consider 'em. I mean, we've -- we've filed on every -- every one of the Governor's motions. There's already something filed. Senator Demuzio.

SENATOR DEMUZIO:

Well, just -- just tell me if -- if we're filed, if our motions will be printed on the Calendar tomorrow. That's all I want to know.

PRESIDENT PHILIP:

If you get 'em in before we adjourn. Senator Demuzio.

SENATOR DEMUZIO:

That's a yes. Thank you.

PRESIDENT PHILIP:

Senator Jones, for what purpose do you rise?

SENATOR E. JONES:

Yeah. Thank you, Mr. President. I assume the sponsor, in filing the motions, his intent -- I think he filed motions to override the Governor's veto items, as well as reduction veto. Are those the motions that's filed? I assume that's what he did.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yeah. For purposes of clarification, we have filed a motion to override on every, single line-item elimination and line-item reduction. It is the intention of the sponsor of those motions, since I was the sponsor of the Senate Bill as it -- we concurred on it, to call every, single one of those motions. So, I expect this Body, (a), to have some time to review this in caucus, to go to committee and have as much time as people want to spend asking

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about what the -- the changes are, and I expect this Body, over Tuesday and Wednesday, to have a chance to vote on every, single one of the override motions subject to -- so, it's -- it's our intent that every motion will be acted on in this Body.

PRESIDENT PHILIP:

Senator Jones.

SENATOR E. JONES:

Well, so, it is your intent -- other words, you're telling the Body to override the Governor's vetoes, or are you just filing these motions as a means to pretend you're attempting to do this, at the same time you -- you don't want the Body to -- to override on certain subjects? I mean, if you're going to actively do something, you know, when you -- I recall, when you dealt with the issue of the bonds, you got up and you sponsored it, then you talked against it and you didn't even vote for it then. You said it was the worst thing. So, I mean, I don't want you to file something with this Body with one intent, but you have a slight of hand, you want to do something else. That's why it's so important, Mr. President, that we have the opportunity to file these motions. So, I don't know when your side of the aisle received the message as it relate to the reductions, and so we want to know exactly -- well, you may have gotten it Saturday, but we didn't get it until 10:30 this morning. And so, therefore, in order to really look at it very intelligently and know what happened there, we must have the opportunity. So your filing the motions doesn't mean that you intend to pursue those motions, Senator Rauschenberger.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Jones, I think, under Senate rules, a motion to override is under the control of the sponsor of the bill. I

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intend to file a motion to override each and every one of them so this Body can debate each and every one of the line-item reductions or the line eliminations. I filed the motions so that we could have action in the Chamber so that we had a clear constitutional and -- and Chamber record on our positions on it. I promise you that I will move every one of those motions. So, you know, I -- you know, you can file as many motions as you want, as far as I'm concerned. The question of timing is not under my control. But how I vote on the motion will -- will be based on how it applies to the financial plan that I think's important to the State of Illinois.

PRESIDENT PHILIP:

Senator Jones.

SENATOR E. JONES:

Well, according to the rules, that only lasts for eight days, and I don't think we're going to be here that long. But I didn't want the Body to think that your filing the motions is something that you're going to actively pursue or whether it was an attempt to -- to have the motion there. So we will be filing the motions. We didn't want to file any frivolous motions because we want to really look at this. We want to cut the unnecessary fat out of the budget, but at the same time, we want to file motions that's going to be really acted on and not just be put -- placed in the record. That's the only thing. So you -- but your -- according to the rules, you have up to eight days to -- for -- take action on your motion. The others take effect after that eight-day period. Well, I don't think we'll be here -- then. So I didn't want your motion to be an -- an obstruction for any other motion that a Member have in this Body who really want to act on the motion.

PRESIDENT PHILIP:

Senator Hendon, for what purpose do you rise?

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SENATOR HENDON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT PHILIP:

Indicates he will.

SENATOR HENDON:

Senator Rauschenberger, are you going to sincerely seek out bipartisan cooperation with these motions this time? I mean, we're here, we'd like to work with you. Or will we just be faced with your motions only, or your positions only, or that side of the aisle's positions only? Because I truly believe you need bipartisan cooperation to get us out of here. So I'm just curious, are you going to be seeking that, or not?

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Hendon, I have always sought bipartisan cooperation and will continue to do so. That doesn't mean I always achieve it. I've felt very strongly since November that we had to take seriously the financial and economic circumstances of the State of Illinois. That has not always received either bicameral or bipartisan support. So, to the extent that people believe that we are in a very serious economic crisis, especially in light of May's revenues, which were fifty percent larger in their -- in the level of decline than even September was, which was kind of the benchmark month for one-year changes in revenue, to the extent that -- that people on both sides of the aisle or both Chambers want to support that kind of financial responsibility, I seek bipartisan support. But the point of the -- the -- of my override motions is to allow this Body to hear and to vote on each and every one of 'em. We're not hiding behind any kind of committee action. I'm not going to make motions and then table 'em. We're going to -- you're going to have a roll call vote on every one of

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'em. But whether it's bipartisan or not is really determined by the -- the fifty-eight other Members of this -- of this Body. I don't think, in this kind of year, we can have what we want. And if bipartisanship means increasing spending, or bipartisanship means dividing up the spoils, or bipartisanship means everybody getting, you know, a piece of the pie, like it's been for the last three years, then this is not a bipartisan effort.

PRESIDENT PHILIP:

Senator Hendon.

SENATOR HENDON:

Well, can't bipartisanship mean that both sides -- or, doesn't it mean that both sides will listen to the other side with an open mind and be sincere in the discussions and take some of the ideas from the other side that will make the entire thing work that you may not necessarily completely agree with? Bipartisanship is like a marriage. You know, the husband's not completely right all the time, nor is the wife, and you work it out. Are you seeking to work it out or not with this side of the aisle in cooperation or are you just going to ramrod through your own ideas? That's all I'm asking.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

First of all, there are none of my ideas in any of these motions. These motions are specific actions by the Executive Branch, by the Governor of the State of Illinois. We'll bring those motions to a vote on the Floor. The idea of us working together on a financial plan, unfortunately, is long gone. It was a thing that I argued for. In -- in November, I wanted a Special Session. We argued for emergency authority by the Governor in January. We put out financial documents in April and tried to -- to get bipartisan, bicameral support. We -- before us now are

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Executive Branch motions to reduce the budget. We have one choice constitutionally, and that's to act on them and vote them up or down. So, to the extent, that -- that debate is -- is an open discussion, I think that's fine, but -- we no longer are in a negotiating position.

PRESIDENT PHILIP:

Senator Molaro, for what purpose do you rise?

SENATOR MOLARO:

Thank you, Mr. President. I'll be real brief. Maybe there was a slip of the tongue, but he did use the word "Wednesday". And I -- yeah, I couldn't believe it either when I heard it, 'cause I thought for sure we were leaving... The only reason I ask, if Wednesday's an absolute foregone conclusion that we'll be here, lot of us haven't checked into our hotels. So if we're sure if we're going to be here Wednesday, we'll ask for Monday and Tuesday night. If it's we don't know, then, of course, we don't know. So I was just wondering if it's an absolute certainty or we're not sure.

PRESIDENT PHILIP:

Senator Molaro, there is no absolute certainties around here, other than we're going to eventually adjourn, I would hope. But if we could keep the rhetoric down and get to work and get to our caucus and do our work, we'll get out of here. I would hope -- hope sometime early Wednesday, but who knows. Senator Smith, for what purpose do you rise?

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen. I'd like to announce there will be a meeting immediately at the close of this...

PRESIDENT PHILIP:

That's always in order, Senator Jones {sic}. Thank you. The Senate will stand at ease until 4:30.

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(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senate will come to order. Mr. Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Mr. President. Senator Trotter has filed a series of motions with respect to Senate Bill 2393.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. There any further business to come before the Senate? If not, Senator Weaver moves the Senate stand adjourned until 9 a.m., Tuesday, June 11th, 2002.